

Utah, Grand, and San Juan shall constitute the Twelfth District, and be entitled to one senator.

#### ARTICLE X.

##### Education.

Section 1. The Legislature shall provide for the establishment and maintenance of a uniform system of public schools, which shall be open to all the children of the State and be free from sectarian control.

Sec. 2. The public school system shall include kindergarten schools, common schools, consisting of primary and grammar grades; high schools; an Agricultural College; a University, and such other schools as the Legislature may establish. The common schools shall be free. The other departments of the system shall be supported as provided by law; Provided, That high schools may be maintained free in all the cities of the first and second class now constituting school districts, and in such other cities and districts as may be designated by the Legislature. But where the proportion of school monies apportioned or accruing to any city or district shall not be sufficient to maintain all the free schools in such city or district, the high schools shall be supported by local taxation.

Sec. 3. The proceeds of all lands that have been, or may be granted by the United States to this State for the support of the common schools; the proceeds of all property that may accrue to the State by escheat or forfeiture; all unclaimed shares and dividends of any corporation incorporated under the laws of this State; the proceeds of the sale of timber, minerals or other property from school and State lands other than those granted for specific purposes; and all the five per centum of the net proceeds of the sales of public lands lying within the State which shall be sold by the United States, subsequent to the admission of this State into the Union, shall be and remain a perpetual fund, to be called the State School Fund, the interest of which only, together with such other means as the Legislature may provide, shall be distributed among the several school districts according to the school population residing therein.

Sec. 4. The location and establishment by existing laws of the University of Utah and the Agricultural College are hereby confirmed, and all the rights, immunities, franchises and endowments heretofore granted or conferred are hereby perpetuated unto said University and Agricultural College respectively.

Sec. 5. The proceeds of the sale of lands reserved by an Act of Congress approved February 21st, 1855, for the establishment of the University of Utah, and of all the lands granted by an Act of Congress, approved July 16th, 1894, shall constitute permanent funds to be safely invested and held by the State; and the income thereof shall be used exclusively for the support and maintenance of the different institutions and colleges, respectively, in accordance with the requirements and conditions of said Acts of Congress.

Sec. 6. In cities of the first and second class, the public school system shall be maintained and controlled by the Board of Education of such cities,

separate and apart from the counties in which said cities are located.

Sec. 7. All public school funds shall be guaranteed by the State against loss or diversion.

Sec. 8. The general control and supervision of the public school system shall be vested in a State Board of Education, consisting of the Superintendent of Public Instruction and such other persons as the Legislature may provide.

Sec. 9. Neither the Legislature nor the State Board of Education shall have power to prescribe text books to be used in the common schools.

Sec. 10. Institutions for the Deaf and Dumb and for the Blind are hereby established. All property belonging to the School for the Deaf and Dumb, heretofore connected with the University of Utah, shall be transferred to said institution for the Deaf and Dumb. All the proceeds of the lands granted by the United States for the support of a Deaf and Dumb Asylum and for an institution for the Blind shall be a perpetual fund for the maintenance of said institutions. It shall be a trust fund, the principal of which shall remain inviolate, guaranteed by the State against loss or diversion.

Sec. 11. The Metric System shall be taught in the public schools of the State.

Sec. 12. Neither religious nor partisan test or qualification shall be required of any person as a condition of admission as teacher or student into any public educational institution of the State.

Sec. 13. Neither the Legislature nor any county, city, town, school district or other public corporation, shall make any appropriation to aid in the support of any school, seminary, academy, college, university or other institution, controlled in whole or in part by any church, sect or denomination whatever.

#### ARTICLE XI.

##### Counties, Cities and Towns.

Section 1. The several counties of the Territory of Utah, existing at the time of the adoption of this Constitution, are hereby recognized as legal subdivisions of this State, and the precincts and school districts, now existing in said counties, as legal subdivisions thereof, and they shall so continue until changed by law in pursuance of this article.

Sec. 2. No county seat shall be removed unless two-thirds of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal, and two-thirds of the votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.

Sec. 3. No territory shall be stricken from any county unless a majority of the voters living in such territory as well as of the county to which it is to be annexed, shall vote therefor, and then only under such conditions as may be prescribed by general law.

Sec. 4. The Legislature shall establish a system of county government, which shall be uniform throughout the State, and by general laws shall provide for precinct and township organizations.

Sec. 5. Corporations for municipal purposes shall not be created by special laws; the Legislature, by general laws, shall provide for the incorpora-

tion, organization, and classification of cities and towns in proportion to population; which laws may be altered, amended or repealed.

Sec. 6. No municipal corporation shall, directly or indirectly, lease, sell, alien or dispose of any water-works, water-rights or sources of water supply now or hereafter to be owned or controlled by it; but all such water-works, water-rights and sources of water supply now owned or hereafter to be acquired by any municipal corporation, shall be preserved, maintained and operated by it for supplying its inhabitants with water at reasonable charges; Provided, That nothing herein contained shall be construed to prevent any such municipal corporation from exchanging water-rights, or sources of water supply, for other water-rights or sources of water supply of equal value, and to be devoted in like manner to the public supply of its inhabitants.

#### ARTICLE XII.

##### Corporations.

Section 1. Corporations may be formed under general laws but shall not be created by special acts. All laws relating to corporations may be altered, amended or repealed by the Legislature, and all corporations doing business in this State, may, as to such business, be regulated, limited or restrained by law.

Sec. 2. All existing charters, franchises, special or exclusive privileges, under which an actual and bona fide organization shall not have taken place, and business been commenced in good faith, at the time of the adoption of this Constitution, shall thereafter have no validity; and no corporation in existence at the time of the adoption of this Constitution shall have the benefit of future legislation without first filing in the office of the Secretary of State, an acceptance of the provisions of this Constitution.

Sec. 3. The Legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any corporation now existing, or which shall hereafter exist under the laws of this State.

Sec. 4. The term "Corporation," as used in this article, shall be construed to include all associations and joint stock companies having any powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue, and shall be subject to be sued, in all courts, in like cases as natural persons.

Sec. 5. Corporations shall not issue stock, except to bona fide subscribers thereof or their assignee, nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received, or labor done. The stock of corporations shall not be increased, except in pursuance of general law, nor shall any law authorize the increase of stock without the consent of the person or persons holding the larger amount in value of the stock, or without due notice of the proposed increase having previously been given in such manner as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

Sec. 6. No corporation organized outside of this State shall be allowed to transact business within the State on conditions more favorable than those prescribed by law to similar corporations organized under the laws of this State.

Sec. 7. No corporation shall lease or